

ID BOTTOM

UNCLASSIFIED	CONFIDENTIAL	SECRET
---------------------	---------------------	---------------

OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	DATE	INITIALS
1	RCC		<i>[initials]</i>
2	NE		<i>[initials]</i>
3	VD		VTD
4	<i>[signature]</i>	12/8	
5	<i>[signature]</i>		
6			

ACTION	DIRECT REPLY	PREPARE REPLY
APPROVAL	DISPATCH	RECOMMENDATION
COMMENT	FILE	RETURN
CONCURRENCE	INFORMATION	SIGNATURE

Remarks: *RCC*

 3-1: Apparently Glenn is attempting to segregate "intelligence related" printing from "administrative" printing. I feel we have sufficient documentation to justify the printing of both types of work. I think it was Blake's memo of a few years ago which reinforced this feeling.

[signature]

FOLD HERE TO RETURN TO SENDER	
FROM: NAME, ADDRESS AND PHONE NO.	DATE

UNCLASSIFIED	CONFIDENTIAL	SECRET
---------------------	---------------------	---------------

16 NOV 1977

NOTE FOR: Director of Logistics *B*
 VIA: Deputy Director of Logistics
 FROM:
 Executive Officer, OL

STAT

1. Attached is P&PD's correspondence re Title 44. It consists of an overview memo by a detailed memo of impact of compliance with Title 44, and a proposed letter to Senator Cannon, Chairman, Joint Committee on Printing (JCP). I believe the following observations are pertinent (I read Title 44 cover to cover plus all of our enabling legislation with Title 44 in mind, plus all of the previous correspondence on this subject in P&PD's files).

STAT

a. There is nothing in Title 44 exempting CIA or other agencies printing classified documents. In fact, DIA's plant is listed as a GPO "authorized Federal plant."

b. Section 8a of 81-110 could be construed (and was) as exempting all or part of the Agency's printing from JCP control.

c. Then Chairman Hayden, in a letter dated January 4, 1957, approved Agency takeover of the GPO/State printing plant subject to the conditions of a November 19, 1956, letter from CIA to the Public Printer. Three clauses in the 19 November letter are pertinent:

"... shall be transferred to and operated by CIA under the authority of (Section 8a) PL 81-110 ..."

"... CIA shall have exclusive operating control of the printing plant."

"... (CIA) intends to continue to rely on GPO for its unclassified printing and for paper and supplies ..."

d. Under Title 44 JCP can probably delegate to CIA any authorities it wishes under paragraph 103 "The JCP may use any measures it considers necessary to remedy neglect, delay, duplication, or waste in the public printing"

e. P&PD cites a number of reasons for not complying. OTS' Graphics and Authentication Division (old GARB), NPIC, JPRS, and OGCR are frequently mentioned as examples of possible operational delay if Title 44 is applied. Clearly GAD could, and should, be exempted under sources and methods. OGCR is exempted because Title 44 does not apply to maps. The real issue with P&PD and the remaining plants is the proportion of printing that is directly intelligence related and that which is either administrative or public (and probably unclassified).

STAT

f. Virtually all of P&PD's problems with compliance have to do with the quality of publications and the necessity to clear equipment purchases through the committee. In the case of the former, quality control is clearly justified in the printing of intelligence documents containing reproductions of photography or SIGINT. It is equally clearly unjustified to exceed Government standards in printing a CIA recruitment brochure or an EEO publicity document, w/o JCP approval.

2. In summary, I believe it is clear that CIA has a statutory exemption for all printing related to sources and methods or the unique operation of CIA. I think it doubtful that Section 8 will support a blanket exemption to include administrative printing or printing of unclassified documents for general intelligence community dissemination. Equipment necessary to meet intelligence dissemination deadlines or technical reproduction quality standards would fall under Section 8 (e.g., ETECS). Equipment typical of standard Government printing probably should have JCP approval.

3. Recommendation: Unfortunately, I believe we're going to have to go to the lawyers to come up with a similar determination to that made for exemption of PL 92-313; i.e., which aspects of our printing operation are exempt by Section 8 and which come under Title 44. I would then see a letter through our intelligence committees to JCP outlining our exemptions and specifying areas of compliance.

STAT

Att

~~CONFIDENTIAL~~

1 NOV 1977

MEMORANDUM FOR: Director of Logistics

FROM:

STAT

Chief, Printing & Photography Division

SUBJECT: Title 44, United States Code

1949
1. As you know, the subject of CIA exemption from Title 44, U.S.C. has been kicking about since the question of participation of the Agency in the Federal Depository Library Program (FDLP) arose. The DCI settled that issue in favor of participation. Subsequently, the legal body questioned procurement of printing equipment without an unprecedented request for approval from the Joint Committee on Printing (JCP). Thus, if we cannot rely upon the CIA Act of 1947, or several decades of well established precedent, i.e. practices performed outside of the provisions of Title 44 with the full knowledge and tacit approval of both the JCP and the Government Printing Office (GPO), or the fact that CIA has never been and is not now listed in "Title V: Authorized Federal Plants" in the Government Printing and Binding Regulations published by the JCP (attached regulations promulgated by JCP under the authority of sections 103, 501, and 502 of Title 44), or agreements reached in 1956 between the Agency and the JCP, we must then deal either head on or piecemeal with the question of compliance with Title 44.

2. In my opinion, there are three options open to us; viz, full compliance, request for waivers of sections of the Government Printing and Binding Regulations which are especially troublesome, or request for waivers of all sections except for participation in the FDLP.

3. Except for an administrative burden, Printing and Photography Division (P&PD) could actually comply totally with little other impact on its operations. The major impact will lie with the publishers, the readership. e.g. the President et al

In all, full compliance transfers a significant portion of the current management of Agency printing to the JCP, including portions of fiscal control. Potential impact is explored in the attached impact paper, a worse case approach. A third attachment is an initial draft letter to the JCP which requests waivers for all provisions of Title 44 except participation in the FDLP.

25X1

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

SUBJECT: Title 44, United States Code

4. If full compliance with Title 44 is compelling, and a minimum deviance from the Government Printing and Binding Regulations is required, we would recommend that the Agency request waivers only for paragraphs 18 and 34 as identified in the attached impact paper. The basis for the request can be expanded, but in essence we would ask for waivers of these provisions which would afford publishers in the Agency the continued high quality products for VIP distribution as now exists. Even in these paragraphs we would apply the waivers only in those cases involving requirements for color, halftones, and typographic excellence. Most of these cases involve finished intelligence, although the question of administrative publications which heretofore have been done with similar high standards will have to be addressed, e.g. personnel recruitment material, public relations handouts, DDA Exchange, et al. This minimum deviance route does not take into account the peculiar problems associated with OTS.

5. With reference to paragraph 17, we simply suggest that copyright be respected regardless of the Office of General Counsel (OGC) opinion since in the final analysis the "printer" and not the legal counsel is legally responsible and would be prosecuted for violation.

6. We would not request a waiver on paragraph 20 if this type of printing can be accommodated by commercial printers.

7. We would not request a waiver of paragraph 25 (adhering to GPO Style Manual); however, publishers would have to accept these standards.

8. Paragraph 46 is a matter of little concern to P&PD and in those rare cases in which approval is needed it is anticipated that it could be obtained by a simple telecon with the JCP staff. However, a request for a waiver would be required for the continuance of the Office of Logistics/Procurement Division practice of direct procurement of forms.

9. If we have alternatives, guidance is requested. As an initial step, we recommend be brought into the arena by requesting an impact statement from them.

STAT

atts.

~~CONFIDENTIAL~~